



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/975,284	10/10/2001	Masae Yoyasu	SHX 326	9862

7590 03/01/2006

Charles H. DeVoe  
Kolisch, Hartwell, Dickinson, McCormack & Heuser  
Suite 200  
520 S.W. Yamhill Street  
Portland, OR 97204

EXAMINER

CHAPMAN, JEANETTE E

ART UNIT	PAPER NUMBER
----------	--------------

3635

DATE MAILED: 03/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/975,284		YOYASU, MASAE	
	<b>Examiner</b>		<b>Art Unit</b>	
	Chapman E. Jeanette		3635	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 June 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1-13 and 18-22 is/are allowed.
- 6) ☒ Claim(s) 14 and 23-25 is/are rejected.
- 7) ☒ Claim(s) 15-17 and 26-28 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>6/29/2005</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

Claim 23 is objected to as having no clear meaning.

***Claim Rejections – 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 14, 23 (as far as understood), 24, 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Renji (Japan 09226476). Renji discloses an automobile molding provided with:

- a molding main body M with a design face, which will face the outside, and a reverse face M1 which will face the car body side, when the molding is attached to the car body
- a fastener holder 41 which is formed on the reverse face M1 of the molding body M
- a fastener 42 which is held in place by the fastener holder 41 to fasten the molding main body M to the car body 20
- the fastener holder 42 is provided with at least two lateral walls 43 projecting up from the reverse face of the molding main body to form sides of the fastener holder
- an opening 58 maintained on one side the fastener holder
- a fastener mounting seat, perpendicular to side walls 43, and connects to the lateral or side walls to define a housing space which

will permit a base plate 59 of the fastener to be inserted and engage and stop portions, adjacent ref. no.53, formed in the lateral walls 43 that are adjacent said opening 58

- the fastener 42 is provided with an engaging portion 55 which projects upright from the base plate 59 and is configured to engage in a mounting hole in the car body
- a pair of extending elastic pieces 61/62 having protruding portions 64
- the elastic pieces 61/62 extend from the base plate 59 and engages with the fastener holder 41 to secure the fastener 42 thereto, the projecting ends 64 being free;
- an insertion groove/opening 53 in the fastener mounting seat of the fastener holder 41
- the end 64 of the engaging portion projecting outwardly from the base plate being inserted into the insertion groove 53
- the protruding portions that project out from the elastic pieces can engage with the engage stop portions of the portions that are formed in the lateral walls that are adjacent to the opening 53 of the fastener holder in a releasable manner on the housing space on the inside of the housing space defined at reference number 53; again, one of the opening in the housing space is defined by the space shown at reference number 53

Art Unit: 3635

- the protruding portions 64 on the opposite sides of the base plate; each protruding portion capable of coming into contact with a fastener mounting seat on either side of the insertion groove/opening 53; ***this groove/ opening is on an inside portion of the housing.***
- the base plate and the elastic pieces 61 are capable of being inserted into the housing space inside the fastener holder via an opening that is formed at one end of the fastener holder
- the engaging portion 55/56 is provided with a trunk 55 upright from a base 59
- engaging claws 56 which are formed to the end of the trunk which project from the base plate

Claims 1-13, 18-22 are allowable over the prior art of record.

Claim 15-17, 26-28 are objected to as depending upon a rejected base claim but would be considered as allowable if amended to include the base claim and any intervening claims.

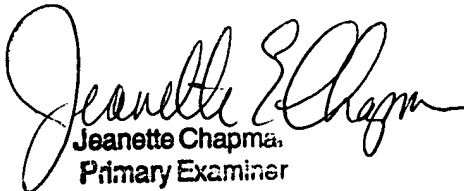
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chapman E Jeanette whose telephone number is 571-272-6841. The examiner can normally be reached on Mon.-Fri, 8:30-6:00, every other fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Friedman Carl can be reached on 571-272-6842. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3635

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jec

  
Jeanette Chapman  
Primary Examiner